

UNCLASSIFIED

CONFIDENTIAL

SECRET

EXECUTIVE SECRETARIAT

Routing Slip

TO:

		ACTION	INFO	DATE	INITIAL
1	DCI				
2	DDCI				
3	S/MC				
4	DDS&T				
5	DDI				
6	DDM&S		X		
7	DDO				
8	D/DCI/IC				
9	D/DCI/NIO				
10	OGC	X			
11	OLC				
12	IG				
13	Compt				
14	D/Pers				
15	D/S				
16	DTR				
17	Asst/DCI				
18	AO/DCI				
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SUSPENSE

Date

Remarks:

Please prepare reply for signature of DCI
who has not seen.

A/Executive Secretary

Date

UNITED STATES OF AMERICA
GENERAL SERVICES ADMINISTRATION

National Archives and Records Service

Washington, DC 20408



MAR 27 1974

Honorable William Colby
Director
Central Intelligence Agency
Washington, DC 20505

Dear Mr. Colby:

There is now in progress a suit against the General Services Administration for access to a transcript of an executive session of January 27, 1964, of the President's Commission on the Assassination of President Kennedy (the Warren Commission) which is in our custody. The Central Intelligence Agency requested us to withhold this transcript from research in a letter of December 22, 1972. A copy of the transcript was furnished to [redacted] formerly of your staff, and should be in the files he maintained relating to the review of records of the Commission.

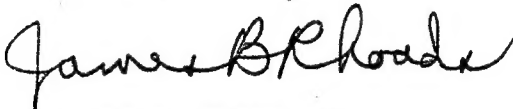
Enclosed are copies of the guidelines prepared by the Department of Justice in 1965, for the review of the Commission's records and a letter of August 17, 1966, from Assistant Attorney General Wozencraft authorizing the National Archives to conduct reviews of the records created by the Commission. Although the transcript of the executive session of the Commission of January 27, 1964, was reviewed as recently as 1972, subsequent to the issuance of Executive Order 11652 (37 F.R. 5209), we are treating the suit as the equivalent of a request for a mandatory review of the transcript as a security classified document that is now ten years old under the terms of Executive Order 11652, Section 5(D) and Section 11. We have reviewed the transcript and have decided that it probably could be declassified. I shall appreciate it if you will review the transcript in accordance with the terms of Executive Order 11652 and inform me of any objection you may have to the declassification of the transcript or of any part of it. If you think the transcript or any part of it should retain a security classification, please inform me of the level of classification you feel it should have and the relevant basis for classification listed in Section 5(B) of Executive Order 11652. If you think the transcript should be declassified but withheld from research, as a whole or in part, under an exemption from mandatory disclosure under the Freedom of Information Act (5 U.S.C. 552) other than subsection (b)(1), please inform me of that exemption and of any relevant guideline. We

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are also requesting the Department of Justice to review the transcript.

Because of the ongoing litigation, we would appreciate your comments as soon as possible. The following members of our staff will be pleased to furnish any further information you require: Mr. Mark G. Eckhoff and Mr. Marion M. Johnson of the National Archives (962-3171) and Mr. Steven Garfinkel of the Office of General Counsel of GSA (343-4947).

Sincerely,

A handwritten signature in cursive script, reading "James B. Rhoads".

JAMES B. RHOADS
Archivist of the United States

Enclosures

STAT

Approved For Release 2005/03/07 : CIA-RDP80M01048A000400050004-1

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GUIDELINES FOR REVIEW OF MATERIALS SUBMITTED TO
THE PRESIDENT'S COMMISSION ON THE ASSASSINATION OF PRESIDENT KENNEDY

1. Statutory requirements prohibiting disclosure should be observed.
2. Security classifications should be respected, but the agency responsible for the classification should carefully re-evaluate the contents of each classified document and determine whether the classification can, consistently with the national security, be eliminated or downgraded.
3. Unclassified material which has not already been disclosed in another form should be made available to the public on a regular basis unless disclosure--
 - (A) Would be detrimental to the administration and enforcement of the laws and regulations of the United States and its agencies;
 - (B) Might reveal the identity of confidential sources of information and impede or jeopardize future investigations by precluding or limiting the use of the same or similar sources hereafter;
 - (C) Would be a source of embarrassment to innocent persons, who are the subject, source, or apparent source of the material in question, because it contains gossip and rumor or details of a personal nature having no significant connection with the

- (D) Would reveal material pertinent to the criminal prosecution of Jack Ruby for the murder of Lee Harvey Oswald, prior to the final judicial determination of that case.

Whenever one of the above reasons for nondisclosure may apply, your department should, in determining whether or not to authorize disclosure, weigh that reason against the overriding policy of the Executive Branch favoring the fullest possible disclosure.

Unless sooner released to the public, classified and unclassified material which is not now made available to the public shall, as a minimum, be reviewed by the agency concerned five years and ten years after the initial examination has been completed. The criteria applied in the initial examination, outlined above, should be applied to determine whether changed circumstances will permit further disclosure. Similar reviews should be undertaken at ten-year intervals until all materials are opened for legitimate research purposes. The Archivist of the United States will arrange for such review at the appropriate time. Whenever possible provision should be made for the automatic declassification of classified material which cannot be declassified at this time.

22 December 1972

Dr. James B. Rhoads
Archivist of the United States
Washington, D.C. 20408

Dear Dr. Rhoads:

Subject: Release of Documents Furnished to the
Warren Commission by the Central
Intelligence Agency

Reference is made to Mr. Houston's letter dated 2 August 1972. Since that time we have been in close contact with Mr. Marion Johnson of your staff who recently provided us with additional documents for review. We have completed this task and, unless stated otherwise, we have no objections to the release of the following items:

List No. 1

2, 3, 7, 14, 15, 18, 29, 31, 32, 33.

List No. 1A

1, 4, 6, 8, 9, 10, 12.

List No. 2

3, 5, 6, 7, 10, 12 (including CIA letter 8 Feb. 64),
16, 20, 22, 23, 25, 28, 37, 38 (including our reply
3 June 64), 40 (including our reply 1 July 64),
44 (including our reply 22 July 64), 48 (including
our reply 11 Sept. 64), 51, 53 (including our memo
19 May 64 - CD-944), 54, 55, 58, 59, 64(A)
(including our reply 13 Oct. 64).

STA

25X1

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We cannot agree to the release of the remaining documents at this time because of the continuing need in their case to protect sources and methods. Accordingly, we request that Guideline No. 2 be observed in each case. Approvals apply only to the exact document(s) listed and not to related items in the Commission's files. Since some of the items listed originated with other U. S. agencies, we suggest that they be consulted, as appropriate, before the documents are released. Any CIA file markings thereon should be removed.

We will be glad to examine the remaining classified documents again when the next prescribed review period arrives.

25X

Sincerely,



Lawrence R. Houston
General Counsel

OGC SUBJECT Kennedy Assassination

Prepared by CI/R&A/

